

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

NEW DOMINION, L.L.C.,

Plaintiff,

vs.

BP OIL SUPPLY COMPANY,

Defendant.

Case No. CIV-09-0075 JHP

ORDER

Now before the Court is Defendant's Motion to Dismiss, Transfer or Stay Proceedings [Dkt #8] filed on March 5, 2009. The Court has carefully considered the Motion, Plaintiff's Response to the Motion [Dkt #18], and Defendant's Reply [Dkt #22]. For good cause shown, the Court finds the claims raised by Plaintiff in this action should be heard by the United States District Court for the District of Delaware (the "Delaware Bankruptcy Court"), and that to avoid duplication of effort and the risk of inconsistent rulings, the Motion should be granted, in part, and the action transferred.

Accordingly, in the interest of justice and for the convenience of the parties, this action shall be transferred, pursuant to 28 U.S.C. §§ 1404 and 1412, to the Delaware Bankruptcy Court. The Clerk of this Court is hereby directed to transfer the above-captioned case to the Delaware Bankruptcy Court, to transfer all papers filed in this action to the Clerk of the Delaware Bankruptcy Court.

IT IS SO ORDERED this 11th day of May, 2009.


James H. Payne
United States District Judge
Eastern District of Oklahoma